

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

ADRIAN L. TATE, # R2705

PLAINTIFF

V.

CASE NO. 4:03CV164

LARRY BROOKS, et al

DEFENDANTS

ORDER APPROVING AND ADOPTING REPORT AND RECOMMENDATION

Upon consideration of the file and records in this action, the court finds that the Report and Recommendation of the United States Magistrate Judge dated January 27, 2006, was on that date duly served by mail upon the *pro se* plaintiff at his last known address; that the parties were given 10 days to file any objections to the Report and Recommendation; that more than ten days have elapsed since service of the Report and Recommendation; and that no objection to the Report and Recommendation has been served or filed by any party. The court is of the opinion that the magistrate judge's Report and Recommendation should be approved and adopted. Therefore, it is

ORDERED:

1) The Report and Recommendation (docket entry # 35) of the United States Magistrate Judge dated January 27, 2006, is hereby approved and adopted.

This is the 27th day of February, 2006.

/s/ Michael P. Mills
UNITED STATES DISTRICT JUDGE